

1 BILL NO. Z-84-05-07

2 ZONING MAP ORDINANCE NO. Z- 09-84

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. Q-18.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

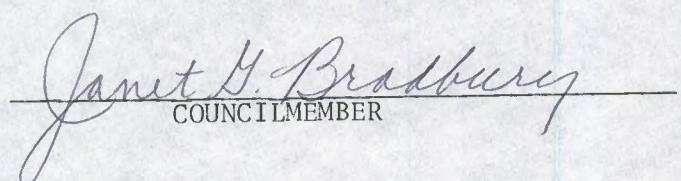
7 SECTION 1. That the area described as follows is hereby
8 designated an R-3 (Multiple Family) Residential District under the terms
9 of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

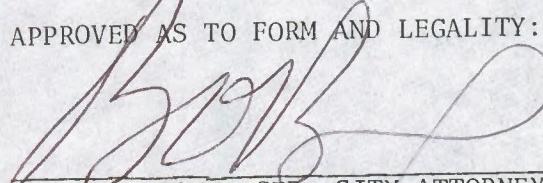
10 Lots No. 408 through 418, inclusive, and Lots No. 455
11 through 462, inclusive, together with the alley vacated
12 between Lots No. 411 through 418, inclusive, and Lots
13 No. 455 through 462, inclusive, by Declaratory Resolution
14 913-1955, as the same appears in Plat Book 22, Page 84,
15 and Lot No. 463 except that portion thereof sold off by
16 the School City of Fort Wayne to the City of Fort Wayne,
17 by Deed dated August 2, 1955, and recorded in Deed Record
18 499, Pages 394-5, and more particularly described as follows:

19 The West fifteen (15) feet of Lot No. 463 in Grasmere
20 Heights Addition to the City of Fort Wayne, Indiana,
21 according to the recorded plat thereof, together with
22 a triangular area described as follows, to-wit:
23 Commencing on the South line of said Lot No. 463 at a
24 point situated ten (10) feet West of the Southeast corner
25 thereof; thence West along the South side of said lot a
distance of ten (10) feet; thence North and parallel to
the West line of said lot a distance of thirty (30) feet;
thence Southeast on a straight line to the point of beginning,

and the symbols of the City of Fort Wayne Zoning Map No. Q-18, as established
by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect
from and after its passage and approval by the Mayor.

26 
27 COUNCILMEMBER
28

29 APPROVED AS TO FORM AND LEGALITY:
30 
31

32 BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Gia Quinta, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock _____.M., E.S.

DATE: 5-15-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Redd, and duly adopted, placed on its passage. PASSED (EOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>1</u>	<u>1</u>		
<u>BRADBURY</u>	<u>✓</u>				
<u>BURNS</u>	<u>✓</u>				
<u>EISBART</u>	<u>✓</u>				
<u>GiaQUINTA</u>	<u>✓</u>				
<u>HENRY</u>			<u>✓</u>		
<u>REDD</u>	<u>✓</u>				
<u>SCHMIDT</u>	<u>✓</u>				
<u>STIER</u>		<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>				

DATE: 6-12-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-09-84
on the 12th day of June, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Bay-L-A-Bark
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 12th day of June, 1984,
at the hour of 11:30 o'clock A.. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of June,
1984, at the hour of 4:00 o'clock P.. M., E.S.T.

Win Moses Jr.
WIN MOSES, JR., MAYOR

RECEIVED

APR 16 1984

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

FORT WAYNE
CITY PLANNING COMMISSION

DATE FILED:

INTENDED USE:

I/We Fort Wayne Community Schools
Applicant's Name or Names

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by reclassifying from an R-1 District to a R-3 District the property described as follows:

The property commonly known as the Slocum Elementary School, 2529 Curdes Avenue, Fort Wayne, Indiana 46805

General Description (Prepared by Planning Staff)

(See Legal Description on Reverse Side)

See attached Exhibit "A"

Legal Description

Legal Description Checked by (City Engineer)

The Undersigned applicant (s) upon the execution and submission of this application and petition for zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or for the ordinance to be taken under advisement is filed within the required time, the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. Also, in the event, a request is filed for continuance or delay in the consideration of an ordinance, it shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is filed, it shall be the duty of the petitioner to notify all persons notified by the Plan Commission Office when the time and place of hearing is determined.

I/We hereby certify that as the undersigned, I am/We are the owner (s) of fifty-one percentum or more of the property described in this petition.

1230 South Clinton Street
Fort Wayne Community Schools Fort Wayne, IN 46802

BY: Donald B. Self

Name

Address

Signature

This petition for zoning ordinance amendment prepared by:

Thomas D. Logan

P. O. Box 11647
Fort Wayne, IN 46859

219-422-9454

Name

Address

Telephone Number

City Plan Commission - One Main Street - City County Building - Fort Wayne,
Indiana - 423-7571

EXHIBIT "A"

Legal Description of Slocum Elementary School
2529 Curdes Avenue
Fort Wayne, Indiana 46805

Lots No. 408 through 418, inclusive, and Lots No. 455 through 462, inclusive, together with the alley vacated between Lots No. 411 through 418, inclusive, and Lots No. 455 through 462, inclusive, by Declaratory Resolution 913-1955, as the same appears in Plat Book 22, Page 84, and Lot No. 463 except that portion thereof sold off by the School City of Fort Wayne to the City of Fort Wayne, by Deed dated August 2, 1955, and recorded in Deed Record 499, Pages 394-5, and more particularly described as follows:

The West fifteen (15) feet of Lot No. 463 in Grasmere Heights Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof, together with a triangular area described as follows, to-wit: Commencing on the South line of said Lot No. 463 at a point situated ten (10) feet West of the Southeast corner thereof; thence West along the South side of said lot a distance of ten (10) feet; thence North and parallel to the West line of said lot a distance of thirty (30) feet; thence Southeast on a straight line to the point of beginning.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 15, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-05-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 14, 1984;

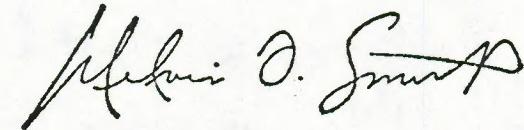
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1984.

Certified and signed this
25th day of May 1984.



Melvin O. Smith
Secretary

BILL NO. Z-84-05-07

Slocum School
H.Wayne C.S.
REGULATIONS

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-18.

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE *do* PASS.

JANET G. BRADBURY, CHAIRWOMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

CHARLES B. REDD

MARK E. GIAQUINTA

JAMES S. STIER

CONCURRED IN 6-12-84
SANDRA E. KENNEDY, CITY CLERK

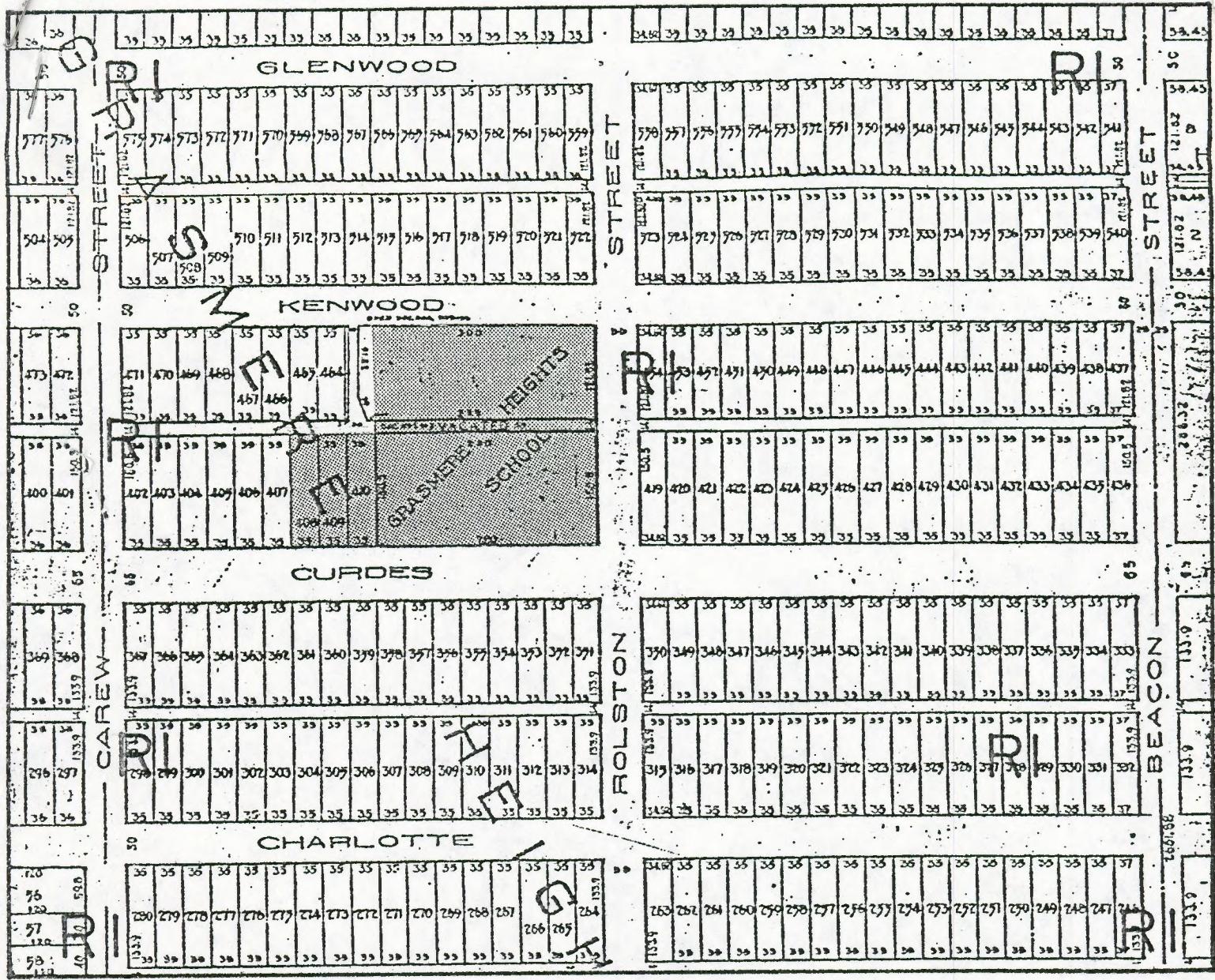
RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 10671

FT. WAYNE, IND. 4/16 1984RECEIVED FROM Fort Wayne Community Schools \$ 50.00THE SUM OF Fifty and 00/100 DOLLARSON ACCOUNT OF 2529 Curdes (School School)Kayne to R-3CR 45054

Kathy Schaeffer
AUTHORIZED SIGNATURE



A PETITION TO AMEND THE ZONING MAP BY
RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1
TO AN R-3 DISTRICT.

MAP NO. Q-18

Z-84-05-07



The City of Fort Wayne
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

25 May 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 21, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-84-05-07
2. From R-1 to R-3
3. Intended Use: Office Use and Ancillary Hospital Uses for Parkview Hospital
4. Plan Commission Recommendation: DO PASS

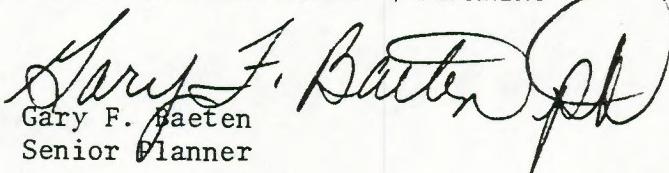
This ordinance received a DO PASS recommendation for the following reason:

REASON: The rezoning of this property will have a beneficial impact on the neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

Admn. Appr.

ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Map Amendment

3-84-05-07

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE The property is commonly known as the Slocum Elementary School, 2529 Curdes Avenue.

FWCS

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.

Property will become R-3 - Multiple Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)